

12/28/09 8:43:42  
DK T BK 3,118 PG 121  
DESOTO COUNTY, MS  
W.E. DAVIS, CH CLERK

**RECORDATION REQUESTED BY:**

Trustmark National Bank, Hernando Main Office, 2510 Highway 51 South, Hernando, MS 38632

**WHEN RECORDED MAIL TO:**

Trustmark National Bank, Attn: Loan Operations, P. O. Box 1182, Jackson, MS 39205

**SEND TAX NOTICES TO:**

Brian H. Gallenbeck and Penny T. Gallenbeck AKA Penny T. Gallenbeck, 1260 Slocum Road, Hernando, MS 38632

**FOR RECORDER'S USE ONLY**

**This Modification of Deed of Trust prepared by:**

Lillie Banks, Branch Manager  
Trustmark National Bank  
2510 Highway 51 South  
Hernando, MS 38632  
(662) 393-9210

**INDEXING INSTRUCTIONS:** Part of Lot 4, The Sam Brownlee Estate, Section 32, T3S, R7W, DeSoto County, Mississippi.

**MODIFICATION OF DEED OF TRUST**



9040

**THIS MODIFICATION OF DEED OF TRUST** dated December 7, 2009, is made and executed between Brian H. Gallenbeck and wife, Penny T. Gallenbeck AKA Penny T. Gallenbeck ("Grantor") and Trustmark National Bank, whose address is Hernando Main Office, 2510 Highway 51 South, Hernando, MS 38632 ("Lender").

**DEED OF TRUST.** Lender and Grantor have entered into a Deed of Trust dated July 21, 1998 (the "Deed of Trust") which has been recorded in DeSoto County, State of Mississippi, as follows:

Recorded August 25, 1998 in the Office of the Chancery Clerk in Book 1028 at Page 653.

**REAL PROPERTY DESCRIPTION.** The Deed of Trust covers the following described real property located in DeSoto County, State of Mississippi:

PART OF LOT 4 OF THE SAM BROWNLEE ESTATE AS RECORDED IN PLAT BOOK 9, PAGE 24, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, AND BEING IN SECTION 32, TOWNSHIP 3 SOUTH, RANGE 7 WEST, DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 4 THENCE; SOUTH 88 DEG. 09 MIN. 40.2 SEC. WEST ALONG THE NORTH LINE OF SLOCUM ROAD 298.77 FEET TO A POINT; THENCE NORTH 2 DEG. 24 MIN. 21.8 SEC. WEST 1209.60 FEET TO A POINT; THENCE NORTH 88 DEG. 09 MIN. 50 SEC. EAST 297.43 FEET TO A POINT; THENCE SOUTH 2 DEG. 28 MIN. 10.2 SEC. EAST 1209.60 FEET TO THE POINT OF BEGINNING, CONTAINING 360,562.373 SQUARE FEET OR 8.277 ACRES.

The Real Property or its address is commonly known as 1260 Slocum Road, Hernando, MS 38632.

**MODIFICATION.** Lender and Grantor hereby modify the Deed of Trust as follows:

The maturity date of the Credit Agreement and the above described Deed of Trust will be extended to December 7, 2024.

**CONTINUING VALIDITY.** Except as expressly modified above, the terms of the original Deed of Trust shall remain unchanged and in full force and effect. Consent by Lender to this Modification does not waive Lender's right to require strict performance of the Deed of Trust as changed above nor obligate Lender to make any future modifications. Nothing in this Modification shall constitute a satisfaction of the promissory note or other credit agreement secured by the Deed of Trust (the "Note"). It is the intention of Lender to retain as liable all parties to the Deed of Trust and all parties, makers and endorsers to the Note, including accommodation parties, unless a party is expressly released by Lender in writing. Any maker or endorser, including accommodation makers, shall not be released by virtue of this Modification. If any person who signed the original Deed of Trust does not sign this Modification, then all persons signing below acknowledge that this Modification is given conditionally, based on the representation to Lender that the non-signing person consents to the changes and provisions of this Modification or otherwise will not be released by it. This waiver applies not only to any initial extension or modification, but also to all such subsequent actions.

**GRANTOR ACKNOWLEDGES HAVING READ ALL THE PROVISIONS OF THIS MODIFICATION OF DEED OF TRUST AND**

# MODIFICATION OF DEED OF TRUST (Continued)

Loan No: 9595062846

Page 2

GRANTOR AGREES TO ITS TERMS. THIS MODIFICATION OF DEED OF TRUST IS DATED DECEMBER 7, 2009.

GRANTOR:

x Brian H. Gallenbeck  
Brian H. Gallenbeck

x Penny T. Gallenbeck  
Penny T. Gallenbeck AKA Penny T. Gallenbeck

LENDER:

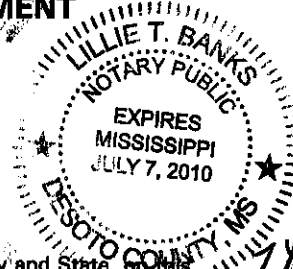
TRUSTMARK NATIONAL BANK

x Lillie Banks  
Authorized Officer

## INDIVIDUAL ACKNOWLEDGMENT

STATE OF Mississippi  
COUNTY OF DeSoto

) SS )



Personally appeared before me, the undersigned authority in and for the said County and State, on this day of December, 2009, within my jurisdiction, the within named Brian H. Gallenbeck and Penny T. Gallenbeck AKA Penny T. Gallenbeck, who acknowledged that they signed, executed and delivered the above and foregoing Modification for the purposes mentioned on the day and year therein mentioned.

Lillie T. Banks  
NOTARY PUBLIC

My Commission Expires:  
July 7, 2010

## LENDER ACKNOWLEDGMENT

STATE OF Mississippi  
COUNTY OF DeSoto

) SS )

Personally appeared before me, the undersigned authority in and for the said County and State, on this day of December, 2009, within my jurisdiction, the within named Lillie Banks, who acknowledged that (he) (she) is an authorized officer of Trustmark National Bank and that in said representative capacity (he) (she) executed the above and foregoing Modification, after first having been duly authorized so to do.

Robin S. Parker  
NOTARY PUBLIC

My Commission Expires:  
October 1, 2012

